

**Introduced by Senator Walters**February 21, 2012

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An act to amend Section 60422.1 of the Education Code, relating to instructional materials.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1154, as introduced, Walters. Instructional materials: electronic format.

Existing law requires the State Board of Education to adopt at least 5 basic instructional materials in specified subject areas for use in kindergarten and grades 1 to 8, inclusive, for district boards, as defined. Existing law also requires the governing board of each school district maintaining one or more high schools to adopt instructional materials that meet specified criteria for use in the high schools under its control.

Existing law requires a publisher or manufacturer of instructional materials to provide to the state, at no cost, computer files or other electronic versions of each state-adopted literary title and the right to transcribe, reproduce, modify, and distribute the material in braille, large print if the publisher does not offer a large print edition, recordings, American Sign Language videos for the deaf, or other specialized accessible media exclusively for use by pupils with visual disabilities or other disabilities that prevent use of standard instructional materials.

Existing law authorizes a local governing board, as defined, to use funding received from the state for instructional materials to purchase state-adopted instructional materials for kindergarten and grades 1 to 8, inclusive, and state standards-aligned materials for grades 9 to 12, inclusive, in an electronic or hardbound format if it can ensure that each pupil will be provided with a copy of the instructional materials to use at school and at home.

This bill would require a publisher or manufacturer of instructional materials to provide, at no cost, an electronic copy of instructional materials that a district board purchases in a hardbound format. The bill would authorize a district board to electronically reproduce, for instructional use only, an electronic copy provided by a publisher or manufacturer of instructional materials. The bill also would authorize a district board to enter into an agreement with a program improvement local educational agency by which the district board may share with that local educational agency the electronically reproduced copies of instructional materials.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 60422.1 of the Education Code is  
 2 amended to read:  
 3 60422.1. (a) Notwithstanding any other ~~provision of~~ law, a  
 4 ~~local governing~~ district board may use funding received pursuant  
 5 to this chapter to purchase state-adopted instructional materials  
 6 for kindergarten and grades 1 to 8, inclusive, and state  
 7 standards-aligned materials for grades 9 to 12, inclusive, in an  
 8 electronic or hardbound format if it can ensure that each pupil will  
 9 be provided with a copy of the instructional materials to use at  
 10 school and at home. However, providing access to the materials  
 11 at school and at home does not require the local educational agency  
 12 to purchase two sets of materials.  
 13 (b) *A publisher or manufacturer of instructional materials shall*  
 14 *provide, at no cost, an electronic copy of instructional materials*  
 15 *that a district board purchases in a hardbound format. A district*  
 16 *board may electronically reproduce, for instructional use only, an*  
 17 *electronic copy made available pursuant to this subdivision. A*  
 18 *district board may enter into an agreement with a local educational*  
 19 *agency identified as a program improvement local educational*  
 20 *agency under the federal No Child Left Behind Act of 2001 (20*  
 21 *U.S.C. Sec. 6301 et seq.) by which the district board may share*  
 22 *with that local educational agency the electronically reproduced*  
 23 *copies of instructional materials.*

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